

IN THE UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS

| | |
|-------------------------------------|---|
| UNITED STATES OF AMERICA |) |
| |) |
| Plaintiff, |) |
| |) |
| v. |) |
| |) |
| CITY OF BOSTON, |) |
| MASSACHUSETTS; THOMAS M. |) |
| MENINO, in his official capacity as |) |
| Mayor of the City of Boston; |) |
| BOSTON CITY COUNCIL: |) |
| MICHAEL F. FLAHERTY, PAUL J.) | |
| SCAPICCHIO, JAMES M. KELLY,) | |
| MAUREEN E. FEENEY,) | |
| CHARLES C. YANCEY, ROB) | |
| CONSALVO, JOHN TOBIN,) | |
| CHUCK TURNER, MICHAEL P.) | |
| ROSS, JERRY P. McDERMOTT,) | |
| FELIX D. ARROYO, MAURA) | |
| HENNIGAN, STEPHEN J.) | |
| MURPHY; BOSTON ELECTION) | |
| DEPARTMENT; GERALDINE) | |
| CUDDYER, in her official capacity) | |
| as Chair of the Boston Election) | |
| Department, |) |
| |) |
| Defendants. |) |
| |) |

CIVIL ACTION No. 05-11598

ORDER

THREE-JUDGE COURT

*September 22, 2005,
as agreed by the parties, the
three judge court allows paragraph (1)
of the proposed interlocutory order. The
remainder of the proposed order
remains under advisement.*

*For the Court,
William G. Young
District Judge*

INTERLOCUTORY ORDER AND ORDER OF DISMISSAL

It is hereby **ORDERED, ADJUDGED, AND DECREED** that:

- (1) The appointment of federal examiners is authorized for the City of Boston pursuant to Section 3(a) of the Voting Rights Act, 42 U.S.C. § 1973a(a), through December 31, 2008.

- (2) Pursuant to Rule 41(a)(2) of the Fed. R. Civ. P., this matter is dismissed, subject to substantial compliance by the City of Boston, et. al., with the Agreement reached by the parties, and the contingency set forth in Paragraph 2 of the Agreement.
- (3) This matter shall remain on the Court's inactive docket for enforcement of the terms of the Memorandum of Agreement by either party through expiration of the Court's interlocutory order authorizing the appointment of federal examiners on December 31, 2008.

ENTERED and ORDERED this _____ day of September 2005.

THE HONORABLE WILLIAM G. YOUNG
UNITED STATES DISTRICT JUDGE

THE HONORABLE SANDRA L. LYNCH
UNITED STATES CIRCUIT JUDGE

THE HONORABLE PATTI B. SARIS
UNITED STATES DISTRICT JUDGE